

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Ordinance

AFFECTED DISTRICT: District 2

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: VACATION - ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION APPLICATION VA 6-1-08 "J & Y ESTATES", VACATING PORTIONS OF RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (VA 9-1-09, J & Y Estates, 4495 SW 67th Terrace) Planning & Zoning Board recommended approval.

REPORT IN BRIEF: The petitioner (Linda C. Strutt Consulting, Inc.), requests to vacate 50 feet of the 80 foot right-of-way dedicated by deed to the Town of Davie. This portion of right-of-way does not serve as access to adjacent neighboring properties. Furthermore, the petitioner has supplied staff with the required letters of no objection from public and private utilities. Presently, there are no plans for roadway construction within this portion of right-of-way, nor is there a need for roadway improvements identified in the recently adopted Local Road Master Plan (LRMP) for this location.

Note that, pursuant to Section 12-282 of the Code, a 50 foot scenic corridor buffer is required along this portion of Orange Drive. Unless waived or modified by Town Council, any new development on the site would be required to install a 50 foot buffer, as measured from the right-of-way line, not the pavement.

PREVIOUS ACTIONS: n/a

CONCURRENCES: At the April 14, 2010 Planning & Zoning Board meeting, Vice-Chair Busey made a motion, seconded by Mr. DeArmas, to approve. In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – yes; Mr. DeArmas – yes; Mr. Farkas – absent; Mr. Jacob – yes. **(Motion carried 4-0)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Ordinance, Planning Report

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,
APPROVING VACATION APPLICATION VA 6-1-08 "J & Y
ESTATES", VACATING PORTIONS OF RIGHT-OF-WAY;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, the petitioner (Linda C. Strutt Consulting, Inc.) proposes to vacate fifty (50) feet of the eighty (80) foot right-of-way dedicated by deed (Per Plat Book 2, Page 26 of the Public Records of Miami-Dade County, Florida); and

WHEREAS, this proposed vacation application was considered by the Town's Planning & Zoning Board on April 14, 2010; and,

WHEREAS, vacation of this right-of-way will not adversely affect access to adjoining properties and will not be in conflict with the public interest; and,

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, and a public hearing was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the right-of-way hereinafter described be vacated:

- a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2010.

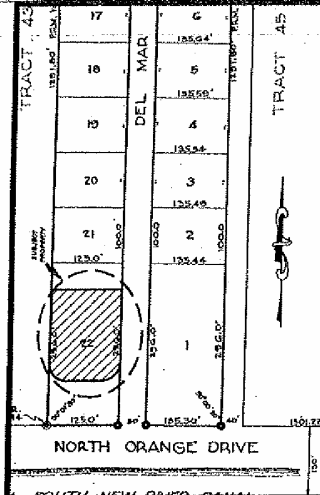
MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2010.

There may be Easements recorded in the Public Records not shown on this Survey.
The purpose of this Survey is for use in obtaining Title Insurance and Financing and should not be used for Construction purposes.



LOCATION SKETCH **SCALE : N.T.S.**

LEGAL DESCRIPTION:

SURVEY OF LOT 22, LESS THE NORTH 50 FEET THEREOF OF DEL MAR
ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE PLAT BOOK 22,
PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PROPERTY ADDRESS:

4485 FW 67 TEFOR

CONFIDENTIAL

LAND INVESTCO LLC

SURVEYOR'S NOTES:

2). THE CLOSURE IN THE BOUNDARY SURVEY IS ABOVE 17500 FT.

HEREBY CERTIFY: THAT THIS "BOUNDARY SURVEY" OF THE PROPERTY DESCRIBED HEREON, WAS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION, COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G1-4, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 473.027, FLORIDA STATUTES.

BY: ROBERT IDARRA 02/28/2009
PROFESSIONAL LAND SURVEYOR NO. : 6437
STATE OF FLORIDA

VALID COPIES OF THIS SURVEY WILL BEAR THE EMBOSSED SEAL OF THE ATTESTING LAND SURVEYOR.

REVISÉ: ONE

REVISÉ ONK

[illegible]

ABBREVIATIONS AND MEANINGS

[illegible]

1ST - 1ST. ROAD.
 2ND - 1ST. ROAD.
 3RD - 1ST. ROAD.
 4TH - 1ST. ROAD.
 5TH - 1ST. ROAD.
 6TH - 1ST. ROAD.
 7TH - 1ST. ROAD.
 8TH - 1ST. ROAD.
 9TH - 1ST. ROAD.
 10TH - 1ST. ROAD.
 11TH - 1ST. ROAD.
 12TH - 1ST. ROAD.
 13TH - 1ST. ROAD.
 14TH - 1ST. ROAD.
 15TH - 1ST. ROAD.
 16TH - 1ST. ROAD.
 17TH - 1ST. ROAD.
 18TH - 1ST. ROAD.
 19TH - 1ST. ROAD.
 20TH - 1ST. ROAD.
 21TH - 1ST. ROAD.
 22TH - 1ST. ROAD.
 23TH - 1ST. ROAD.
 24TH - 1ST. ROAD.
 25TH - 1ST. ROAD.
 26TH - 1ST. ROAD.
 27TH - 1ST. ROAD.
 28TH - 1ST. ROAD.
 29TH - 1ST. ROAD.
 30TH - 1ST. ROAD.
 31TH - 1ST. ROAD.
 32TH - 1ST. ROAD.
 33TH - 1ST. ROAD.
 34TH - 1ST. ROAD.
 35TH - 1ST. ROAD.
 36TH - 1ST. ROAD.
 37TH - 1ST. ROAD.
 38TH - 1ST. ROAD.
 39TH - 1ST. ROAD.
 40TH - 1ST. ROAD.
 41TH - 1ST. ROAD.
 42TH - 1ST. ROAD.
 43TH - 1ST. ROAD.
 44TH - 1ST. ROAD.
 45TH - 1ST. ROAD.
 46TH - 1ST. ROAD.
 47TH - 1ST. ROAD.
 48TH - 1ST. ROAD.
 49TH - 1ST. ROAD.
 50TH - 1ST. ROAD.
 51TH - 1ST. ROAD.
 52TH - 1ST. ROAD.
 53TH - 1ST. ROAD.
 54TH - 1ST. ROAD.
 55TH - 1ST. ROAD.
 56TH - 1ST. ROAD.
 57TH - 1ST. ROAD.
 58TH - 1ST. ROAD.
 59TH - 1ST. ROAD.
 60TH - 1ST. ROAD.
 61TH - 1ST. ROAD.
 62TH - 1ST. ROAD.
 63TH - 1ST. ROAD.
 64TH - 1ST. ROAD.
 65TH - 1ST. ROAD.
 66TH - 1ST. ROAD.
 67TH - 1ST. ROAD.
 68TH - 1ST. ROAD.
 69TH - 1ST. ROAD.
 70TH - 1ST. ROAD.
 71TH - 1ST. ROAD.
 72TH - 1ST. ROAD.
 73TH - 1ST. ROAD.
 74TH - 1ST. ROAD.
 75TH - 1ST. ROAD.
 76TH - 1ST. ROAD.
 77TH - 1ST. ROAD.
 78TH - 1ST. ROAD.
 79TH - 1ST. ROAD.
 80TH - 1ST. ROAD.
 81TH - 1ST. ROAD.
 82TH - 1ST. ROAD.
 83TH - 1ST. ROAD.
 84TH - 1ST. ROAD.
 85TH - 1ST. ROAD.
 86TH - 1ST. ROAD.
 87TH - 1ST. ROAD.
 88TH - 1ST. ROAD.
 89TH - 1ST. ROAD.
 90TH - 1ST. ROAD.
 91TH - 1ST. ROAD.
 92TH - 1ST. ROAD.
 93TH - 1ST. ROAD.
 94TH - 1ST. ROAD.
 95TH - 1ST. ROAD.
 96TH - 1ST. ROAD.
 97TH - 1ST. ROAD.
 98TH - 1ST. ROAD.
 99TH - 1ST. ROAD.
 100TH - 1ST. ROAD.



SEAL

Applicatio Application: VA 9-1-09/09-118/J & Y Estates
Original Report Date: 03/29/10
4/16/10

Revision(s):

TOWN OF DAVIE
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner

Name: J & Y Estates, LLC
Address: 2411 NE 196 Street
City: Aventura, FL 33180
Phone: (786) 280-7223

Petitioner

Name: Linda C. Strutt Consulting, Inc.
Address: 227 Goolsby Boulevard
City: Deerfield Beach, FL 33442
Phone: (954) 426-4305

Background Information

Date of Notification: April 7, 2010
Notifications: 129

N u m b e r o f

Application Request: The petitioner requests to vacate 50 foot of the 80 feet right-of-way dedicated by deed (Per Plat Book 2, Page 26 of the Public Records of Miami-Dade County, Florida)

Address: 4495 SW 67th Terrace

Location: Generally located on the northeast corner of Orange Drive and SW 67th Terrace

**Future Land
Use Plan Map:** Commercial

Existing Zoning: B-1, Neighborhood Business

Proposed Zoning: B-2, Community Business District.

Existing Use(s): Office building

Proposed Use(s): This request has been made to allow medical offices with the existing office building

Subject Site Size: 0.61 acres (26,732 sq. ft.)

Surrounding Properties:

	Land Use	Zoning	Current Use
North	Commercial	B-1, Neighborhood Business	Single Family
South	Commercial	B-1, Neighborhood Business	Linear Park
East	Commercial	B-1, Neighborhood Business	Single Family
West	Residential 3 DU/Acre	R-3, Low Density Dwelling District	Single Family

Zoning History

Related Zoning History:

Existing building was built in 1992 based on Broward County Public Records.

Previous Requests on same property:

Dedication of Right-of-Way (Ordinance 90-10, Dev-Plus, Inc): to deed land for right of way along Orange Drive.

Concurrent Requests on same property:

Rezoning Application (ZB 9-1-09, J & Y Estates): to rezone the subject site FROM: B-1, Neighborhood Business District TO: B-2, Community Business District.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-24 (J)(4)), Community Business (B-2) District. The B-2 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Land Development Code (Section 12-310), review for vacations or abandonment's of Right-of-Way.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 8. This Planning Area is the heart of Davie and is the most diverse, characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). It is bounded on the north by Nova Drive, south by Orange Drive, east by Florida's Turnpike, and west by University Drive. The planning area encompasses the downtown Davie Business District, where western theme architecture is required, the Davie Town Hall and Rodeo Arena, two large mobile home communities, and industrial land.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 99.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 20-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Staff Analysis

Pursuant to the Land Development Code, Section 12-310(A)(1), for any proposed vacation or abandonments of right-of-way, the Planning and Zoning Board shall make a recommendation upon the application to the Town Council, as to whether or not:

(a) It will adversely affect access to neighboring properties.

This portion of right-of-way does not serve as access to adjacent neighboring properties. Furthermore, the petitioner has supplied staff with the required letters of no objection from public and private utilities. Presently, there are no plans for roadway construction within this right-of-way, nor was there a need for roadway improvements identified in the recently adopted Local Road Master Plan (LRMP) for this location.

(b) It will be in conflict with the public interest.

Given that the area to be vacated is not identified for public purpose, the vacation does not appear to be in conflict with the public interest.

Note that Section 12-238 of the Code requires a 50 foot scenic corridor buffer along Orange Drive. The required buffer would have to be installed as part of any application for new development on the site.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

Planning and Zoning Board Recommendation

At the April 14, 2010 Planning & Zoning Board meeting, Vice-Chair Busey made a motion, seconded by Mr. DeArmas, to approve. In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – yes; Mr. DeArmas – yes; Mr. Farkas – absent; Mr. Jacob – yes. **(Motion carried 4-0)**

Town Council Action

Exhibits

1. Justification Letter
 2. No Objection Letters
 3. Sketch and Description of Public Right-of-Way to be vacated
 4. 1,000' Mail-out Radius Map
 5. 1,000' Mail-out
 6. Future Land Use Plan Map
 7. Aerial, Zoning, and Subject Site Map
-

Prepared by: _____
Reviewed by: _____

File Location: P&Z\Development Applications\Applications\VA_Vacation\VA_09VA 9-1-09 J & Y Estates



linda strutt consulting, inc.
planning zoning development services

227 goolsby boulevard . deerfield beach . florida . 33442

phone 954 426 4305
fax 954 725 3342

www.struttconsulting.com

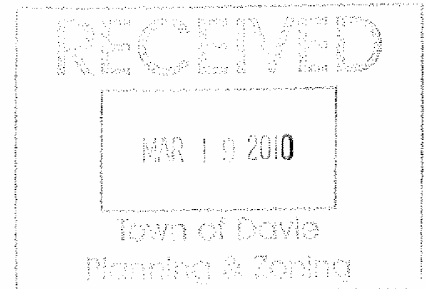
March 11, 2010

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning and Zoning Division
6591 Orange Drive
Davie, FL 33314

Dear Mr. Abramson:

**J&Y Estates, LLC
4495 SW 67 TERRACE**

REVISED REQUEST FOR VACATION OF RIGHT-OF-WAY



As the petitioner on behalf of the owner, J&Y Estates, LLC, I am requesting vacation of fifty (50) feet of the right-of-way dedicated for Orange Drive adjacent to their property located at 4495 S.W. 67th Terrace in Davie. This is essentially a request for a release of surplus right-of-way and does not involve closing any portion of an existing or planned roadway.

In 1990, a parcel approximately 80 feet in depth was dedicated to the Town of Davie for right-of-way purposes by a warranty deed accepted by Town Ordinance 90-10 and recorded at OR Book 17489-0882 (copy attached). At that time, Orange Drive was designated as a major collector with a four-lane ultimate design. The Town now has control of this roadway and has established an ultimate pavement design of two lanes west of this site and three lanes east of this site. After review of the location of the existing pavement, staff has determined that the southernmost 30 feet of the 80-foot right-of-way dedication are adequate to accommodate the pavement and associated right-of-way needs for the transition between the 2-lane and 3-lane corridors for Orange Drive adjacent to this property.

There is no pavement and no municipal utilities located within the area to be vacated. Engineering staff has informed the owners that there are no plans or need for the subject surplus right-of-way.

There are vicinity properties to the east and west which have not dedicated the additional right-of-way. The Town has approved requests from at least two properties east of Davie Road to vacate the surplus right-of-way for Orange Drive in the past six years.

The vacation of this right-of-way will provide land to expand the parking lot serving the existing office building as well as associated landscape buffering. It will place this land back on the tax role and ensure that it is properly maintained.

J&Y Estates, LLC
4495 SW 67 Terrace
Right-of-Way Vacation Letter of Intent
Page 2 of 2

Due to the economic downturn, it is becoming increasingly difficult to attract and retain tenants. The owners are seeking to improve this situation by rezoning the property to allow medical office use (companion application) and by vacating the surplus right-of-way to accommodate the Town's additional parking requirement for medical-related tenants as well as the additional parking needed for some office tenants. There are currently 12 individual offices in the building. All but 2 of these are 200 square feet in size. Although the code only requires 1 space per 300 square feet, the actual parking need for this building tends to be higher when these small offices are leased by separate tenants.

We do not believe that this vacation would adversely affect access to neighboring properties as we are proposing no changes to the current access pattern nor the abutting streets. In fact, by ensuring on-site parking needs are met, it would contribute to maintaining a smooth flow of traffic along the abutting streets.

The proposed vacation is in the public interest as it will add to the taxable value of the property, contribute to the economic viability of the existing building and provide for aesthetic improvement and ongoing maintenance of what is currently unused public property. The warranty deed and Town resolution expressly establish that this land was granted solely for right-of-way purposes. Since the Town has no plans to use it for such purposes, this vacant land represents a potential liability rather than an asset at this time.

Sincerely,

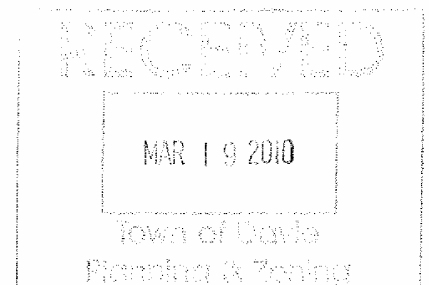


Linda C. Strutt, AICP
President

Petitioner

CC: Jerry Druckmann, J&Y Estates, LLC

Enclosure



10/5/09



CENTRAL BROWARD WATER CONTROL DISTRICT

8020 STIRLING ROAD (DAVIE)
HOLLYWOOD, FLORIDA 33024

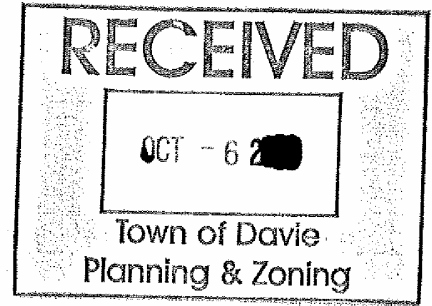
BOARD OF COMMISSIONERS

Cris Fardelmann, Chair
Judy Ann Bunce, Vice-Chair
Douglas R. Bell
Kevin Biederman
David Donzella
Mark Flynt

TELEPHONE: (954) 432-5110
FAX: (954) 432-8603
E-Mail: mtcrowley@bellsouth.net

October 1, 2009

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314



Re: **Proposed Orange Drive ROW Vacation
J & Y Estates, LLC
4495 SW 67th Terrace**

Dear Mr. Abramson:

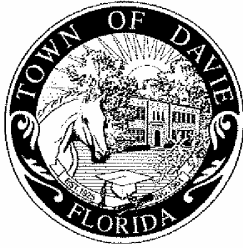
Please be advised that the Central Broward Water Control District has reviewed the applicant's request to vacate Orange Drive right-of-way approximately 65 feet in depth adjacent to 4495 SW 67th Terrace. Central Broward Water Control District has no objections to this vacation request.

Should you have any questions, please do not hesitate to call me at (954) 321-2091

Sincerely,

Michael Crowley
District Manager

MC/cd



UTILITIES DEPARTMENT

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314
PHONE: 954.327.3742 • FAX: 954.327.3752 • WWW.DAVIE-FL.GOV

September 24, 2009

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314

**Subject: Proposed Orange Drive ROW Vacation
J & Y Estates, LLC
4495 SW 67th Terrace, Davie, Florida**

Dear Mr. Abramson:

Please be advised that the Utilities Department has reviewed the applicant's request to vacate Orange Drive right-of-way approximately 65 feet in depth adjacent to 4495 SW 67th Terrace. The Utilities Department has no objection to this vacation request.

Should you have any questions, please do not hesitate to call me.

Sincerely,

TOWN OF DAVIE UTILITIES

A handwritten signature in cursive script that reads "Bruce Taylor".

Bruce Taylor
Utilities Director

:hkc



Engineering – Design Department
2601 SW 145th Ave Miramar, FL 33027

Thursday, October 22, 2009

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314

RE: Proposed Orange Drive R/W Vacation
Y and J Estates, LLC
4495 SW 67th Terrace
Town of Davie
Comcast muid_3579 Comcast Print Number: DH110

Dear Mr. Abramson,

In review the request for the **Vacation of 65' Deeded Right-of Way** at the above ref. address, Comcast has existing /active plant attached to the utility poles adjacent to both Orange Ave and SW 67th Terrace of which a portion of our plant appears to be within the proposed vacation.

At this point in time, Comcast has no objection to the requested vacation providing the owner / developer provided assurance that the existing poles and or cable pose no issue or concern to the development to the property and will **not** be required to be relocated.

Should you have any further question, please feel free to call me at 1-954-447-8405 fax 1-954-534-7083 or e-mail at leonard_maxwell-newbold@cable.comcast.com

Sincerely,

**Leonard Maxwell-
Newbold**

Digitally signed by Leonard Maxwell-Newbold
DN: cn=Leonard Maxwell-Newbold, o=Comcast,
ou=Regional Design Center (South Florida),
email=leonard_maxwell-
newbold@cable.comcast.com, c=US
Date: 2009.10.22 16:37:25 -04'00'

Leonard Maxwell-Newbold
Regional Permit Administrator
Comcast / Southern Division (RDC_permits)
10/22/2009 4:36:55 PM

cc: Davie Draw

muid_3579



Florida Power & Light Company,
4000 Davie Road Ext.
Hollywood, FL 33024

February 5, 2010

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Dr
Davie, FL 33314

**RE: Proposed Orange drive R/W Vacation
Y and J Estates, LLC
4495 SW 67th Terrance
Town of Davie**

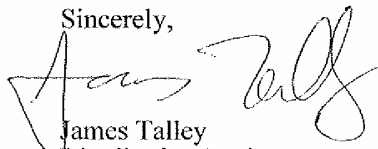
Dear Mr. Abramson,

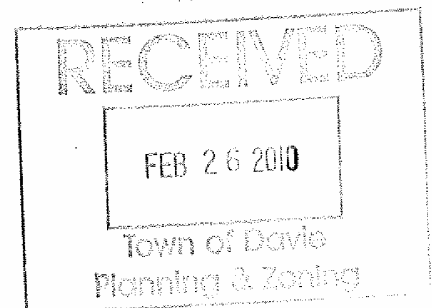
In review of the request for the Vacation of 65' Deeded Right-of Way at the above referenced address, FPL has existing overhead and underground facilities adjacent to both Orange Dr and SW 67th Ter of which a portion of our electrical facilities appears to be within the proposed vacation.

At this time, FPL has no objection to the requested vacation providing the owner / developer provided assurance that the existing poles and or underground cables pose no issue or concern to the development to the property and will NOT be required to be relocated.

Should you have any further questions, please feel free to call me at 954-442-6347 or james.talley@fpl.com.

Sincerely,


James Talley
Distribution Engineer
Service Planning & Engineering



October 13, 2009

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314

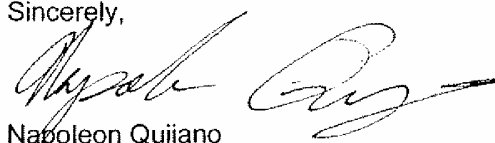
**Subject: Proposed Orange Drive ROW Vacation
J & Y Estates, LLC
4495 SW 67th Terrace
Town of Davie**

Dear Mr. Abramson:

Please be advised that ATT has reviewed the applicant's request to vacate Orange Drive right-of-way approximately 65 feet in depth adjacent to 4495 SW 67th Terrace. ATT has no objections to this vacation request.

Should you have any questions, please do not hesitate to call me at (954) 476-2927.

Sincerely,

A handwritten signature in black ink, appearing to read 'Napoleon Quijano', with a stylized flourish at the end.

Napoleon Quijano
Mgr Ops Plng & Design SE/Ca
AT&T Florida



5101 NW 21st Avenue, Suite 460
Fort Lauderdale, FL 33309
Telephone 954.453.0814
Fax 954.453.0804

September 29, 2009

Mr. David Abramson
Deputy Planning and Zoning Manager
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, FL 33314

**Subject: Proposed Orange Drive ROW Vacation
J & Y Estates, LLC
4495 SW 67th Terrace
Town of Davie**

Dear Mr. Abramson:

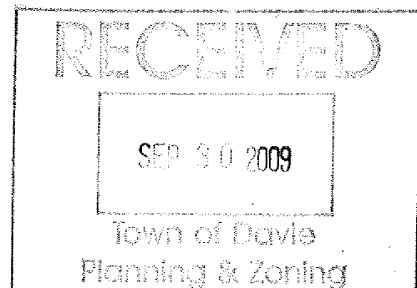
Please be advised that TECO Peoples Gas has reviewed the applicant's request to vacate Orange Drive right-of-way approximately 65 feet in depth adjacent to 4495 SW 67th Terrace. TECO Peoples Gas has no objections to this vacation request.

Should you have any questions, please do not hesitate to call me at (954) 453-0812.

Sincerely,

A handwritten signature in black ink, appearing to read "Max J. Chamorro".

Max J. Chamorro
TECO Peoples Gas
Engineering Project Manager
Florida East Region





15779 West Dixie Hwy.
North Miami Beach, Florida 33162
Bwd. (954) 453-0824 Dade (305) 945-7541

Easement & Right-of-Way Vacation Letter

To: Mr. David Abramson
Town of Davie
Planning & Zoning Division
6591 Orange Drive
Davie, Fl. 33314

September 29, 2009

Subject: Proposed Right-of-Way Vacation
J & Y Estates, LLC
4495 SW 67th Terrace, Davie

(X) Teco Peoples Gas has no facilities within the referenced area , therefore we have no objection to this vacation.

For. 
Angel Quant
Regional Operations Manager

() Teco Peoples Gas has facilities in the alley, however we have no objections to the vacation.

Angel L. Quant
Regional Operations Manager

() **TECO Peoples Gas has facilities within the referenced area to be vacated which cannot be relocated for technical reasons, however, we have no objections to this vacation providing the Underground Notification Bureau is notified prior to construction, so that all facilities can be accurately located.**

Angel L. Quant
Regional Operations Manager

() Teco Peoples Gas objects to the proposed vacation for the following reasons:

Angel L. Quant
Regional Operations Manager

Prepared By: Y. Hong Ting

5582 N.W. 7th STREET SUITE 202
MIAMI, FLORIDA 33126
TELEPHONE: (305) 264-2660
FAX: (305) 264-0229

Nova Surveyors Inc.

LAND SURVEYORS

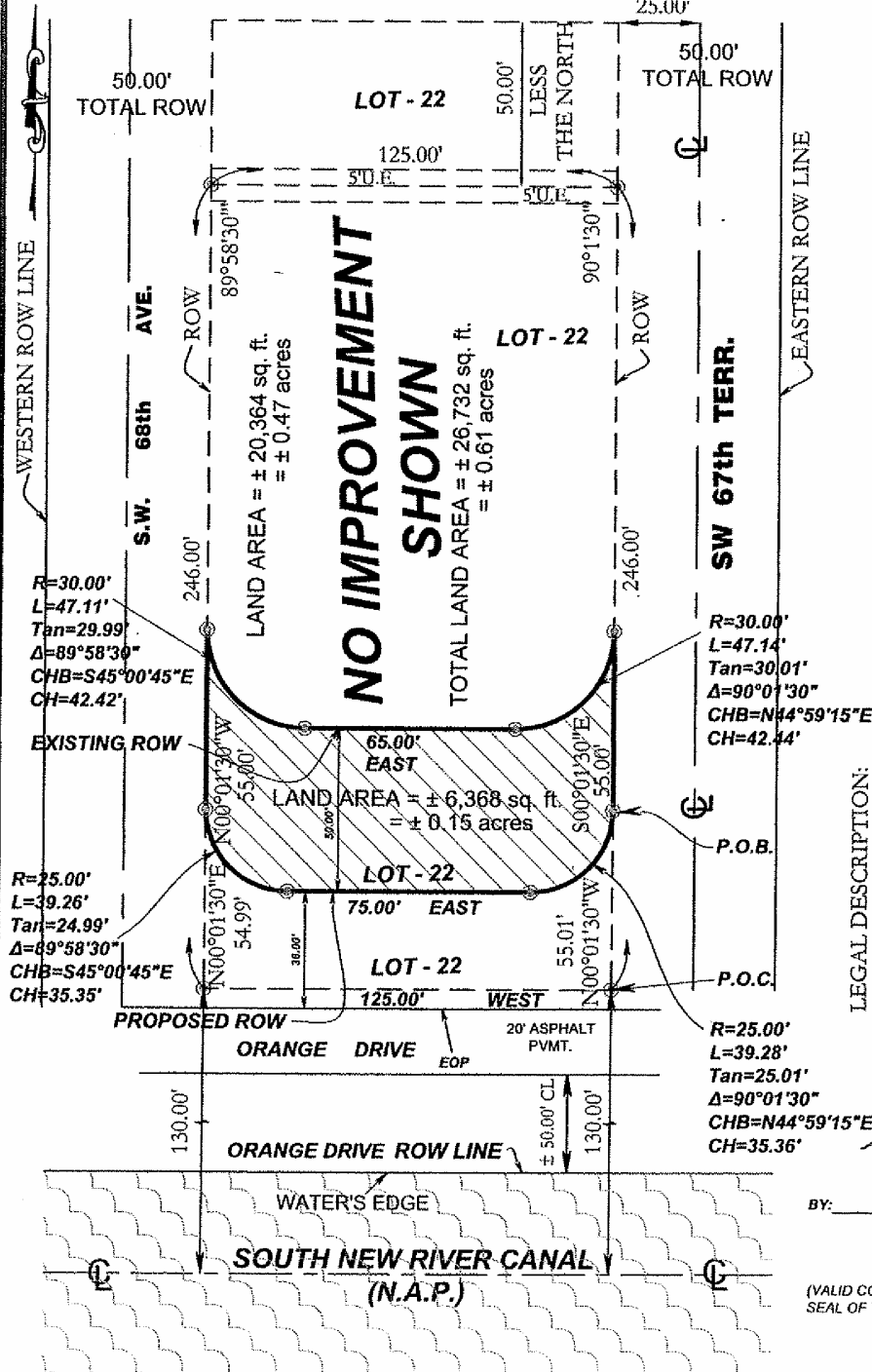
SURVEY No. 3-0001388-4

DRAWN BY: T.D.

SHEET No. 1 OF 1


SKETCH AND DESCRIPTION

SCALE = 1" = 50'
25.00'



LEGAL DESCRIPTION:

A PORTION OF LOT 22, LESS THE NORTH 50 FEET THEREOF OF "DEL MAR" SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK NO. 22, AT PAGE NO. 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SE CORNER OF SAID LOT 22, THENCE NORTH 00°01'30" WEST, A DISTANCE OF 55.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°01'30" AND AN ARC DISTANCE OF 39.28 FEET TO A POINT TANGENT TO A LINE DUE WEST A DISTANCE OF 75.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST THENCE A LONG A CURVE WITH A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89°58'30" AND AN ARC DISTANCE OF 39.26 FEET TO A POINT ON THE WEST LINE OF SAID LOT 22; THENCE NORTH 00°01'30" EAST A DISTANCE OF 55.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 22; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG A CURVE WITH A RADIUS OF 30.00 FEET A CENTRAL ANGLE OF 89°58'30" AN ARC DISTANCE OF 47.11 FEET TO A POINT TANGENT TO A LINE; THENCE DUE EAST A DISTANCE OF 65 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE CURVE WITH A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°01'30" AND AN ARC DISTANCE OF 47.14 FEET TO A POINT ON THE EAST LINE OF SAID LOT 22; THENCE SOUTH 00°01'30" EAST A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING SAID LANDS LYING AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA AND CONTAINING 6,368 SQ. FT. 0.15 ACRES MORE OR LESS.

BY:  09/09/2009
ROBERT IBARRA - (DATE OF FIELD WORK)
PROFESSIONAL LAND SURVEYOR NO. 6437
STATE OF FLORIDA

(VALID COPIES OF THIS SURVEY WILL BEAR THE EMBOSSED SEAL OF THE ATTESTING LAND SURVEYOR.)

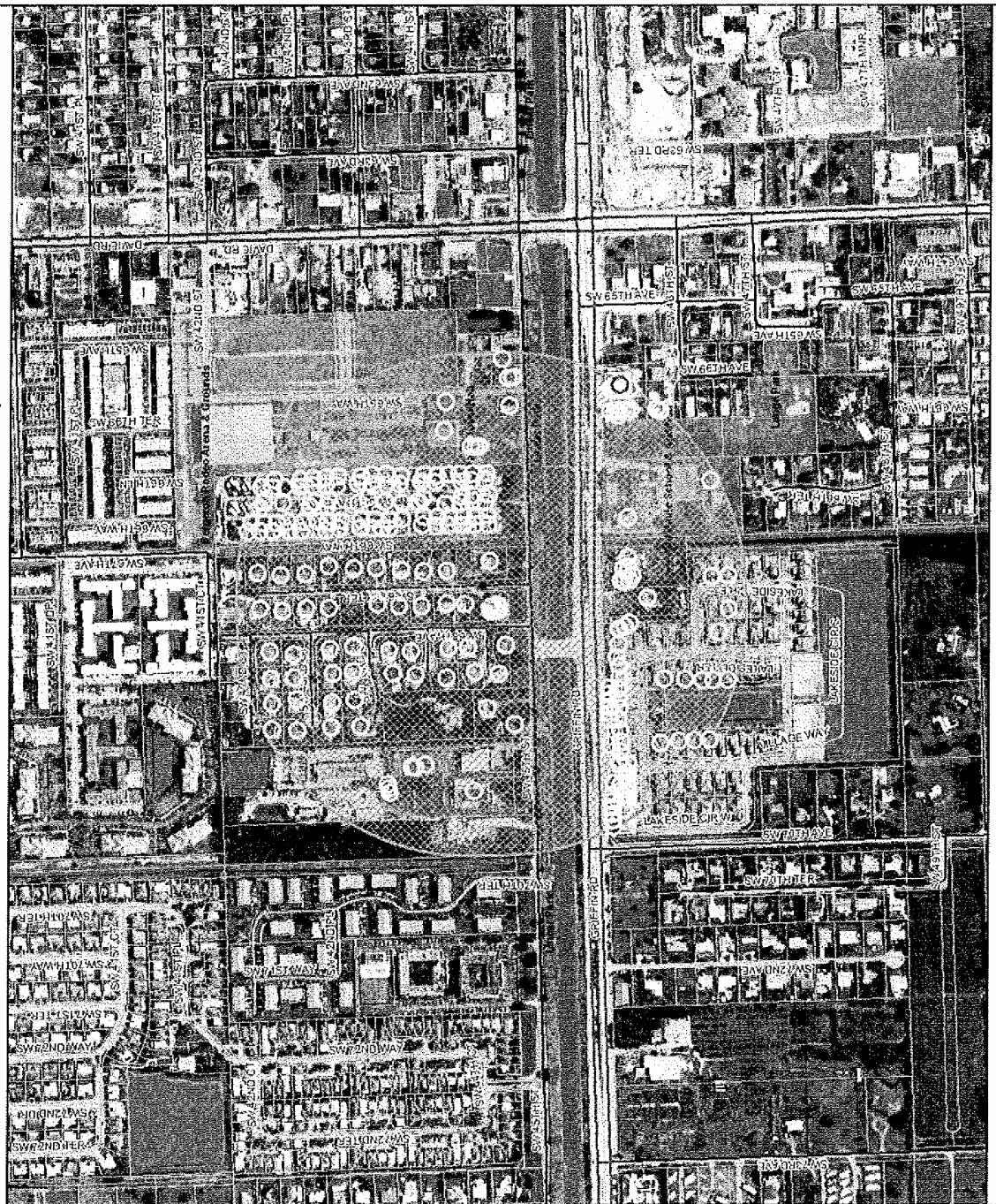
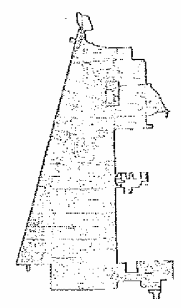
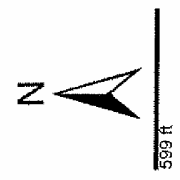
SURVEYOR'S NOTE:

- There may be Easements recorded in the Public Records not shown on this Survey.
- The purpose of this Survey is for use in obtaining Title Insurance and Financing and should not be used for Construction purposes.

1,000' Mail-out Radius Map



- Town Boundary
- Streets
- DEDICATION**
 - STATE RD
 - COUNTY RD
 - LOCAL PAVED RD
 - LOCAL UNPAVED RD
 - PRIVATE RD
- Parcels
- Water_Features
- Parks

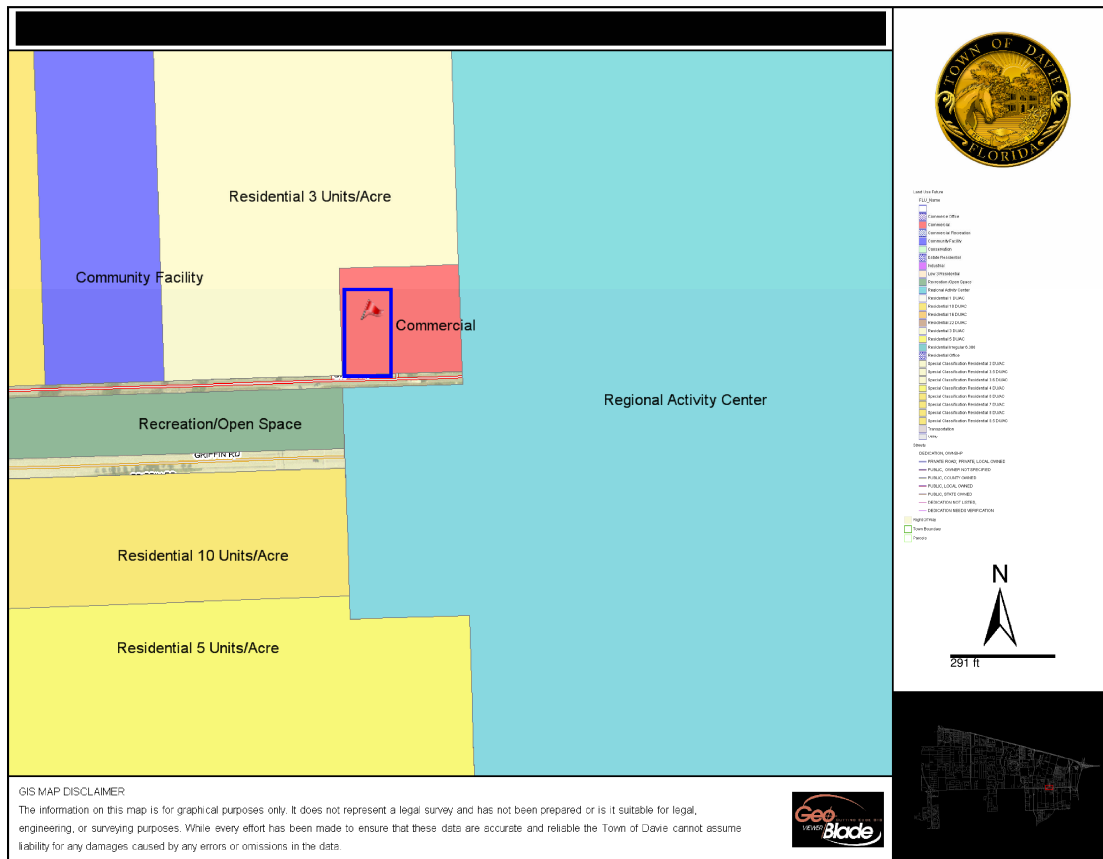


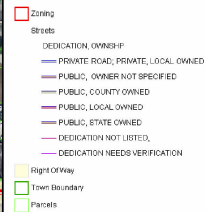
GIS MAP DISCLAIMER
 The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Davie cannot assume liability for any damages caused by any errors or omissions in the data.

NAME_LINE_	ADDRESS_LI	ADDRESS__1	ADD	RESS__1
6700 GRIFFIN LLC	4700 NW BOCA RATON BLVD #101	BOCA RATON	FL	33431
ALI, SYED FAREED	4692 LAKESIDE TER	DAVIE	FL	33314
ANDERSON, CARROLL RAY TR	4950 SW 111TH TER	DAVIE	FL	33328
ANGELINI, ANGELA &	537 RACQUET CLUB RD APT 38	WESTON	FL	33326
BALCANU, LILIANA	4671 LAKESIDE TER	DAVIE	FL	33314
BENZAQUEN, MOISES	1950 NE 199 ST	MIAMI	FL	33179
BOYD, JOSEPH F & MARILYN J	6820 SW 43RD ST	DAVIE	FL	33314
BRANLY, ROLANDO &	4201 SW 67 TER	DAVIE	FL	33314
BRITTAIN, GEORGE	6821 SW 44 CT	DAVIE	FL	33314
BUCHER, ANTHONY P JR & LANA B	4244 SW 67 TER	DAVIE	FL	33314
BURN, ANNETTE Y 1/2 INT EA	6740 GRIFFIN ROAD	DAVIE	FL	33314
CARDENAS, OMAIRA	4685 VILLAGE WAY	DAVIE	FL	33314
CENTRAL BROWARD WATER CONTROL	8020 STIRLING ROAD	HOLLYWOOD	FL	33024
CRISTEA, TEODOR &	4685 LAKESIDE TER	DAVIE	FL	33314
DAVIE WOMENS CLUB	PO BOX 291053	DAVIE	FL	33329
DAVIS, MICHAEL S	4657 LAKESIDE TER	DAVIE	FL	33314
DAVIS, STEVEN J	4664 LAKESIDE TER	DAVIE	FL	33314
DAVIS, VOICU &	915 NE 10 ST	HALLANDALE	FL	33009
DELERME, KARINA	2082 CLEO LANE	DELTONA	FL	32738
DEUTSCHE BANK NATL TR CO TRSTEE	7105 CORPORATE DR	PLANO	TX	75024
DILELLA, JOSEPH	6800 SW 43RD CT	DAVIE	FL	33314
DOYLE, TERENCE M	4410 SW 67 TER	DAVIE	FL	33314
EPSTEIN, DIANE	4650 VILLAGE WAY	DAVIE	FL	33314
FANKHAUSER, CYNTHIA SUE	6801 SW 42ND CT	DAVIE	FL	33314
FAULKNER, RAYMOND H & BIRDIE JEAN	6800 SW 44TH ST	DAVIE	FL	33314
FLASH MANAGEMENT INC	6521 ORANGE DR	DAVIE	FL	33314
FLORIDA DEPT OF TRANSPORTATION	3400 W COMMERCIAL BLVD	FORT LAUDERDALE	FL	33309
FRATARCANGELI, ROSELLA 1/6 INT	6840 SW 43 ST	DAVIE	FL	33314
GERMAIN, KERLINE &	4734 VILLAGE WAY	DAVIE	FL	33314
GOLDBERG, MARK H	6830 SW 43 ST	DAVIE	FL	33314
GOMEZ, HILDA M	4741 VILLAGE WAY	DAVIE	FL	33314
GROSSO, VINCENT J & DIANE L	2745 MONROE ST	HOLLYWOOD	FL	33020
GUTTMAN, MARK	4734 LAKESIDE CIR E	DAVIE	FL	33314
HAUMSCHILT, JOAN M &	4671 VILLAGE WAY	DAVIE	FL	33314
HURST, MARTIN E & ROXANNE M	6821 SW 42ND CT	DAVIE	FL	33314
J & Y ESTATES LLC	2411 NE 196 ST	N MIAMI	FL	33180
JACKSON, CHRISTOPHER S &	4320 SW 67 TER	DAVIE	FL	33314
JAMES, MARY LOU	4461 SW 67TH TER	DAVIE	FL	33314
JIMENEZ, ADRIANA & FREDDY	4741 LAKESIDE CIR E	DAVIE	FL	33314
KEISER, RICHARD L &	6821 SW 43 ST	DAVIE	FL	33314
KHALIFE, ABBAS &	4657 VILLAGE WAY	DAVIE	FL	33314
KLOIBER, RALF & ELKE	6801 SW 43 ST	DAVIE	FL	33314
KOSTECKI, GEORGE & ELIZABETH	6800 SW 43RD ST	DAVIE	FL	33314
KRANZ, STANLEY & GAYLE &	4706 LAKESIDE TER	DAVIE	FL	33314
KRONK, MICHAEL &	6511 SW 45 ST	DAVIE	FL	33314
LA ROCCA, BARBARA	4290 SW 67 TER	DAVIE	FL	33314
LAKESIDE VILLAGE OF DAVIE POA	6950 GRIFFIN RD #C8	DAVIE	FL	33314
LAZARO, ALFRED	4341 SW 67 TER	DAVIE	FL	33314
LEWIS, ERNEST &	4291 SW 67 TER	DAVIE	FL	33314
LIGMONT, VALERIE &	6811 SW 42 CT	DAVIE	FL	33314
LITWINOWICZ, JOSEPH & COLLEEN	6350 LANDINGS WAY	TAMARAC	FL	33321

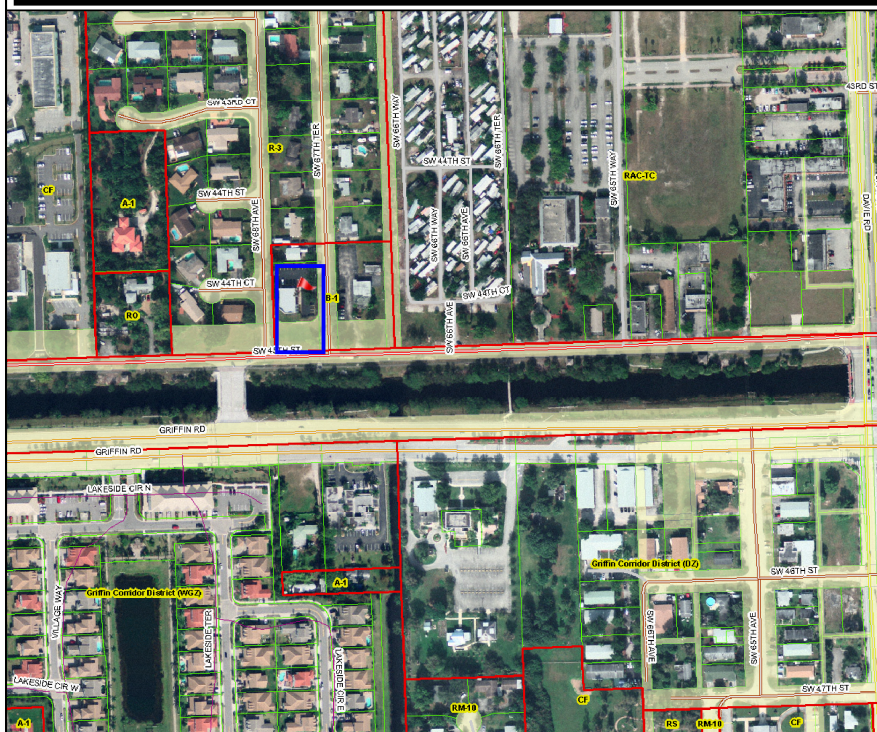
LLOYD, PHILLIP O & SANDRA	4221 SW 67TH TER	DAVIE	FL	33314
LODOWSKI, CHARLES	4678 LAKESIDE TER	DAVIE	FL	33314
LOPUT, MICHAEL A & DYANNE K	4720 VILLAGE WAY	DAVIE	FL	33314
LORENZO, YUSIMY 1/2 INT	4271 SW 67 TER	DAVIE	FL	33314
MANCINI, RICHARD &	4692 LAKESIDE CIR E	DAVIE	FL	33314
MANN, LESLIE J	4220 SW 67 TER	DAVIE	FL	33314
MARTINEZ, LUIS A & MYRA	6820 SW 44 CT	DAVIE	FL	33314
MARTINEZ, ROBERT C & TERRY S	611 SW 96 AVE	PEMBROKE PINES	FL	33025
MC KINNEY, GARRY & LORA	6810 SW 44TH CT	DAVIE	FL	33314
MERINO, MICHAEL H	3609 SPANISH OAK PT	DAVIE	FL	33328
MIHALOVITS, EDWARD S &	6801 SW 44 ST	DAVIE	FL	33314
MILES, JEFFREY A JR	6801 SW 43 CT	DAVIE	FL	33314
MILIN, SUSAN &	4300 SW 67 TER	DAVIE	FL	33314
MIZE, BETTIANN TR	4481 SW 67TH TER	DAVIE	FL	33314
MIZE, JACK K & BETTIANN	4481 SW 67 TER	DAVIE	FL	33314
MOULIN, JIMMY	4727 LAKESIDE CIR E	DAVIE	FL	33314
MUNDY, RICHARD & JUDY L	6831 SW 43RD CT	DAVIE	FL	33314
NEILINGER, ERIC A 1/2 INT	6810 SW 42 CT	DAVIE	FL	33314
ORANGE BLOSSOM MOBILE PARK LLC	370 E MAPLE ROAD 3 FLO	BIRMINGHAM	MI	48009
PORTERFIELD, ANN S	6831 SW 43 ST	DAVIE	FL	33314
REEVES, ERIN MARIE 1/2 INT EA	4241 SW 67 TER	DAVIE	FL	33314
REMINGTON, RICHARD & CATHERINE	4340 SW 67 TER	DAVIE	FL	33314
RIVAS, ALFREDO A &	1516 SANDPIPER CIR	WESTON	FL	33327
RIVIERA BUILDERS INC	6550 GRIFFIN ROAD STE #106	DAVIE	FL	33326
ROACH, JAMES &	PO BOX 328002	FORT LAUDERDALE	FL	33332
RORABAUGH, SHERRY LYNN	4200 SW 67 TER	DAVIE	FL	33314
ROSSI, JORGE & NELLY	6841 SW 43RD CT	DAVIE	FL	33314
SAEED, ARSHAD & SAHIRA A	4706 LAKESIDE CIR E	DAVIE	FL	33314
SAVAR, EARL L & RONNIE LE	6821 SW 44 ST	DAVIE	FL	33314
SCHANNON, G PETER & MARIA H	6840 SW 42 CT	DAVIE	FL	33314
SCHILLACI, JEFFREY &	6821 SW 43 CT	DAVIE	FL	33314
SEBREGANDIO, P A & M A TRS	6820 SW 44TH ST	DAVIE	FL	33314
SICOIA, CRISTINA P &	4678 VILLAGE WAY	DAVIE	FL	33314
SOAVE, KERRY JOHN	4455 SW 68TH AVE	DAVIE	FL	33314
STEVENS, LEE	6841 SW 43 ST	DAVIE	FL	33314
THARAKAN, KOCHUTHRESIA R &	4720 LAKESIDE CIR E	DAVIE	FL	33314
TOWN OF DAVIE	6591 ORANGE DR	DAVIE	FL	33314
VARELA, JORGE R &	4310 SW 54 AVE	FORT LAUDERDALE	FL	33314
WHYTE, MAX B & SALLY J	6800 SW 42 CT	DAVIE	FL	33314
WOLF, MARGARET	6851 SW 45 ST	DAVIE	FL	33314
WOZNIAK, VALERIE A	6820 SW 43 CT	DAVIE	FL	33314
WRIGHT, JOHN S	6830 SW 42 CT	DAVIE	FL	33314
YOUNG-DANSO, CARON 1/2 INT	4650 LAKESIDE TER	DAVIE	FL	33314

Current Occupant	ADDRESS_1	ADDRESS	CITY_CST/	ZIP
Current Occupant	6530 GRIFFIN RD		DAVIE FL	33314
Current Occupant	6530 GRIFFIN RD	UNIT 106	DAVIE FL	33314
Current Occupant	6550 GRIFFIN RD		DAVIE FL	33314
Current Occupant	6550 GRIFFIN RD	UNIT 104	DAVIE FL	33314
Current Occupant	6570 GRIFFIN RD		DAVIE FL	33314
Current Occupant	6570 GRIFFIN RD	UNIT 106	DAVIE FL	33314
Current Occupant	6650 GRIFFIN RD		DAVIE FL	33314
Current Occupant	6700 GRIFFIN RD		DAVIE FL	33314
Current Occupant	6700 GRIFFIN RD	UNIT F	DAVIE FL	33314
Current Occupant	6740 GRIFFIN RD		DAVIE FL	33314
Current Occupant	4201 RODEO WAY		DAVIE FL	33314
Current Occupant	6800 SW 42 CT		DAVIE FL	33314
Current Occupant	6801 SW 42 CT		DAVIE FL	33314
Current Occupant	6810 SW 42 CT		DAVIE FL	33314
Current Occupant	6811 SW 42 CT		DAVIE FL	33314
Current Occupant	6821 SW 42 CT		DAVIE FL	33314
Current Occupant	6830 SW 42 CT		DAVIE FL	33314
Current Occupant	6840 SW 42 CT		DAVIE FL	33314
Current Occupant	6800 SW 43 CT		DAVIE FL	33314
Current Occupant	6801 SW 43 CT		DAVIE FL	33314
Current Occupant	6820 SW 43 CT		DAVIE FL	33314
Current Occupant	6821 SW 43 CT		DAVIE FL	33314
Current Occupant	6831 SW 43 CT		DAVIE FL	33314
Current Occupant	6841 SW 43 CT		DAVIE FL	33314
Current Occupant	4467 SW 66 TER		DAVIE FL	33314
Current Occupant	4404 SW 66 TER		DAVIE FL	33314
Current Occupant	6650 GRIFFIN RD		DAVIE FL	33314
Current Occupant	6803 LAKESIDE CIR		DAVIE FL	33314
Current Occupant	6903 LAKESIDE CIRCLE NORTH		DAVIE FL	33314
Current Occupant	6801 LAKESIDE CIR		DAVIE FL	33314
Current Occupant	6880 GRIFFIN RD		DAVIE FL	33314
Current Occupant	4495 SW 67 TER		DAVIE FL	33314
Current Occupant	6902 GRIFFIN RD		DAVIE FL	33314





291 ft



GIS MAP DISCLAIMER

The information on this map is for graphical purposes only. It does not represent a legal survey and has not been prepared or is it suitable for legal, engineering, or surveying purposes. While every effort has been made to ensure that these data are accurate and reliable the Town of Dawie cannot assume liability for any damages caused by any errors or omissions in the data.

